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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 v.

11 JUVENAL SANCHEZ-ISLAS,

12 Defendant.  
13

Case No. CR10-055-RSL

ORDER DENYING THE  
UNITED STATES' MOTION  
FOR PROTECTIVE ORDER

14 This matter comes before the Court on the government's Motion for a Protective  
15 Order (Dkt. # 349). The Court has reviewed the information at issue *in camera* and,  
16 having also reviewed the motions and memoranda filed in this case, finds as follows:


17 THE COURT DENIES the government's motion. Absent a duty to disclose,  
18 there is no need for a protective order. See Fed. R. Crim. P. 16(d)(1). And, assuming  
19 the veracity of the facts the government presented *ex parte* to the Court, Rule 16 does  
20 not compel the disclosure of the information at issue.

21 Should facts later arise that implicate the government's disclosure duties, the  
22 government may seek whatever relief it thinks necessary, keeping in mind that a  
23 protective order would affect only the government's obligations under Rule 16. It  
24 would not excuse any obligations that might arise under Brady v. Maryland, 373 U.S.

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26 ORDER DENYING THE UNITED STATES'  
MOTION FOR PROTECTIVE ORDER - 1

1 83, 87 (1963), and its progeny. E.g., United States v. Agurs, 427 U.S. 97, 108–09  
2 (1976).

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4 DATED this 18th day of October, 2011.

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7 Robert S. Lasnik

8 United States District Judge  
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